



**CODE OF ORDINANCES**  
**City of SAN ANTONIO, TEXAS**  
**Codified through Ordinance No. 92282, adopted Aug.**  
**10, 2000. (Supplement No. 54)**  
**PART II CODE**  
**Chapter 35 UNIFIED DEVELOPMENT CODE\***  
**ARTICLE VI. LANDSCAPE AND TREE**



**DIVISION 1. LANDSCAPING**

**Sec. 35-6001. Purpose.**

The purposes of this article are:

- (a) To improve the appearance of commercial properties when viewed from the street.
- (b) To screen the unattractive aspects of commercial properties.
- (c) To safeguard and enhance property values and to protect public and private investment.
- (d) To encourage preservation of existing trees and other significant vegetation.
- (e) To encourage proper selection, installation, and maintenance of plant materials which result in the conservation of natural resources, including water.
- (f) To reduce the negative environmental effects of development while protecting and enhancing the value of developed properties and the surrounding area.
- (g) To promote and protect the health, safety, and welfare of the public by creating an urban environment that is aesthetically pleasing and that promotes economic development through an enhanced quality of life.

(Ord. No. 78663, § 1, 9-9-93)

**Sec. 35-6002. Scope and application.**

- (a) This article shall apply to the street yard of all building sites within the city where any of the following conditions is present, except as provided in subsection (b) below.
  - (1) There is new construction of a building for which a building permit is required.
  - (2) There is an enlargement exceeding one thousand (1,000) square feet or ten (10) percent in area, whichever is greater, of the exterior dimensions of an existing building for which a building permit is required.

- (3) There is construction of a new parking lot or expansion of an existing parking lot within the street yard by more than two thousand (2,000) square feet or ten (10) percent in area whichever is greater.
- (b) When a building or parking lot is enlarged, the requirements of this article shall be applied incrementally such that landscaping shall be required in proportion of the enlarged building area or off-street parking area to the existing development, i.e., a ten (10) percent increase requires ten (10) percent of the required landscaping based upon the owner's choice of electives.
- (c) This article shall not apply to the following situations:
  - (1) Residential uses with four (4) or less dwelling units per lot.
  - (2) The reconstruction of an existing building of which fifty (50) percent or less of the floor area was destroyed or ruined by flooding, fire, windstorm or act of God. This exemption shall apply only where reconstruction of that building will not result in an increase in building size or paving area of the parking facilities to be provided.
  - (3) Interior finish work or remodeling in a portion of a building unless the work results in an increase in the paving area of the parking facilities within the street yard or in an enlargement of the exterior dimensions of an existing building.
- (d) A building located within the street yard of another building shall be considered as a separate building site unless it has previously been included within an approved landscape plan.

(Ord. No. 78663, § 1, 9-9-93)

Secs. 35-6003, 35-6004. Reserved.

Sec. 35-6005. Landscape plan.

- (a) If this article applies to a building site, a landscape plan must be submitted to the building official with the application for a permit for work on the site.
- (b) When a landscape plan is required, the plan must be submitted to and approved by the building official before a building permit is issued for the work. A landscape plan shall consist of two (2) sets of prints drawn to scale with sufficient clarity to indicate the location, nature and extent of the work proposed, and show in detail that it conforms to the requirements of this article. The plan shall be submitted on sheets of a size not to exceed thirty by forty-two inches (30" X 42"). A plan which cannot be drawn in its entirety on a single sheet shall be drawn with appropriate match lines on two (2) or more sheets.
- (c) A landscape plan shall contain the following information:

- (1) Project name, street address, legal description, date, scale, north arrow and the names, addresses and telephone numbers of both the property owner and the person preparing the plan.
  - (2) A vicinity map, location of lot lines, and dimensions of the building site and the street yard.
  - (3) Proximate center lines of existing water courses and the location of the 100-year floodplain; approximate location of significant drainage features; and the location and width of existing and proposed streets and alleys, utility easements, driveways, and sidewalks on or adjacent to the lot.
  - (4) Identification, location, and dimensions of required plant materials, screening, and off-street parking and loading spaces within the street yard.
  - (5) Description of plant materials shown on the plan, including names (common and botanical), quantities, container or caliper sizes at installation, heights, spread, and spacing. The plan may designate alternative species or reference species listed in a city prepared landscape manual.
  - (6) Description of proposed watering methods.
  - (7) Tabulation of points earned by the plan. In calculating points, plant materials may be used to satisfy a maximum of two (2) mandatory and/or elective requirements.
- (d) If points for the preservation of existing trees and/or understory are requested, the information specified below shall also be included on the landscape plan.
- (1) Trees and understory to be preserved and for which credit is being requested.
  - (2) Delineation of proposed limit of clearance and establishment of protection zones which shall extend to just outside the root protection zone of trees and outside the understory area to be preserved.
  - (3) Proposed soil stabilization practices, e.g., silt fences, hay bales.
  - (4) Tree and understory preservation specifications.
  - (5) Specification of ground plane treatment as either turf or ground cover. If a combination of both is utilized, the limit of each shall be indicated.
- (e) The building official shall review the landscape plan to verify compliance with all requirements of this article prior to the issuance of a building permit. All landscape plans must comply with the mandatory provisions in this section. If an artificial lot is delineated, it shall be depicted on the building plans prior to the issuance of the permit.

- (f) A building permit shall not be issued for the construction or alteration of a building within the city unless the building official approves the landscape plan verifying that the applicant's plan complies with this article.
- (g) Except as provided in subsections (h) and (i) below, no final certificate of occupancy shall be issued by the building official for the occupancy of a new or altered building unless the plant and screening materials required by this article have been provided. Prior to the issuance of a certificate of occupancy, the building official shall inspect the building site to verify compliance with the approved landscape plan.
- (h) The building official may issue a temporary certificate of occupancy with a term up to six (6) months if the owner provides a signed affidavit certifying that the required work shall be completed within that time. The building official may renew the temporary certificate of occupancy for one additional six (6) month period due to unusual circumstances. If at the end of the period authorized for the temporary certificate of occupancy, the required landscaping has not been installed, the property owner shall be in violation of this ordinance.
- (i) Permanent certificate of occupancy.
  - (1) A permanent certificate of occupancy may be issued prior to the installation of required plant and screening materials when a lending institution will not accept a temporary certificate of occupancy for permanent financing. In those instances, the applicant shall present an affidavit signed by an officer of the lending institution stating their requirement for a permanent certificate of occupancy.
  - (2) In addition to the affidavit from the lending institution, the property owner shall also provide an affidavit acknowledging that if the required plantings and screening are not installed and approved within six (6) months from the date the permanent certificate of occupancy is issued, the certificate of occupancy may be revoked and the property owner shall be in violation of this ordinance. The owner's affidavit shall also acknowledge that failure to comply with the ordinance shall authorize the building official to disconnect utility services in addition to other judicial remedies.

(Ord. No. 78663, § 1, 9-9-93)

Sec. 35-6006. Artificial lots.

- (a) If a building site is over two (2) acres in size, the applicant may request that the building official designate an artificial lot to satisfy the requirements of this article. If requested, the building official shall designate an artificial lot consistent with the purposes and requirements of this article and in accordance with the criteria below.
- (b) An artificial lot may be designated by the building official if it:

- (1) Wholly includes the area on which the construction work is to be done;
- (2) Does not exceed seventy-five (75) percent of the area of the building site; and
- (3) Depicts and includes all proposed and existing buildings and structures, access drives, appurtenant parking required for the building expansion or new building construction, and other areas functionally appurtenant to the buildings or structures.

(Ord. No. 78663, § 1, 9-9-93)

Sec. 35-6007. Mandatory requirements.

- (a) Screening. Off-street loading spaces, refuse and outside storage areas, antennas, satellite dishes, and mechanical equipment within the street yard must be screened from all public streets. The screening must be of a minimum of six (6) feet in height or a height sufficient to obscure the area or equipment requiring the screening, whichever is less. The screening may be provided by plants, a solid screen fence or wall, or a combination thereof. The height of plants shall be based on their size at maturity.

- (b) Acceptable landscape materials.

- (1) No artificial plant materials may be used to satisfy the requirements of this article.
- (2) Plant materials required by this article must comply with the following minimum size requirements at the time of installation. Plant height shall be measured from the top of the root ball or, if the plant is in a container, from the soil level in the container.
  - a. Large trees must have a minimum caliper of one and one-half (1 1/2) inches and shall be planted in an area with a minimum of one hundred (100) square feet of permeable surface area. This area may be reduced to fifty (50) square feet if a permanent life support system, which must include but is not limited to an irrigation system and an internal drainage mechanism, is incorporated within the planting area.
  - b. Small trees must have a minimum height of six (6) feet and shall be planted in an area with a minimum of twenty-five (25) square feet of permeable surface area.
  - c. Large shrubs must have a minimum height of two (2) feet and must be planted in an area with a minimum of nine (9) square feet of permeable surface area. The permeable surface areas for shrubs may be included within permeable surface areas required for trees.
- (3) In satisfying the requirements of this article, the use of mulch material shall be provided at the time of planting.

- (4) Each large tree, small tree or large shrub must be planted at least thirty (30) inches away from any paved surface.
- (c) Protection of plant areas. Plant areas must be protected from vehicular traffic through the use of concrete curbs, wheel stops, or other permanent barrier.
- (d) General maintenance.
  - (1) Required plants must be maintained in a healthy condition at all times. The property owner other maintenance of all plantings as needed. Any plant that dies must be replaced with another living plant that is compatible with the approved landscape plan within ninety (90) days after notification by the city. The building official may extend this time period up to an additional ninety (90) days due to weather considerations. If the plants have not been replaced after appropriate notification and/or extension, the property owner shall be in violation of this ordinance.
  - (2) Any damage to utility lines resulting from the negligence of the property owner or his agents or employees in the installation and maintenance of required landscaping in a utility easement is the responsibility of the property owner. If a public utility disturbs plants within an utility easement, it shall make every reasonable effort to preserve the plants and return them to their prior locations after the utility work. If, nonetheless, some plants die, it is the obligation of the property owner to replace them.
  - (3) If an irrigation system is not installed, a hose bib shall be provided within one hundred (100) feet of all landscape areas.
- (e) [Buffering of electrical substations, water pumping/storage sites, and wastewater treatment plants.] In lieu of other requirements within this article, utility companies shall provide a plant buffer within the street yard of electrical substations, water pumping/storage sites, and wastewater treatment plants. The buffer shall be a minimum of ten (10) feet in width and shall include one (1) tree and ten (10) shrubs for each fifty (50) linear feet of buffer.

(Ord. No. 78663, § 1, 9-9-93)

Sec. 35-6008. Elective requirements.

- (a) [Generally.] In addition to the mandatory requirements, landscape plans must earn a minimum of sixty (60) points awarded for elective requirements. As an exception to this requirement, landscape plans for commercial parking lots and uses which do not include any off-street parking within the street yard must earn a minimum of twenty-five (25) points.